

Barger & Wolen, LLP
10 East 40th Street, 40th Floor
New York, NY 10016-0301
Tel: (212) 557-2800
Fax: (212) 557-2884
Dennis C. Quinn (DQ1401) dquinn@bargerwolen.com

Barger & Wolen, LLP
633 West Fifth Street, 47th Floor
Los Angeles, California 90071
Tel: (213) 680-2800
Fax: (213) 614-7399
John C. Holmes (*Pro Hac Vice*) jholmes@bargerwolen.com

Attorneys for the Jewish Community Foundation of the Jewish Federation Council of Greater Los Angeles Objecting as Manager and Administrator of a Common Investment Pool on behalf of Claimants Listed in Exhibit "A" Hereto

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
SECURITIES INVESTOR PROTECTION : District Court Case No. 08-10791
CORPORATION, :
Plaintiff, : Adv. Pro. No. 08-01789 (BRL)
v. :
BERNARD L. MADOFF INVESTMENT :
SECURITIES, LLC, :
Defendant. :
-----:

**DECLARATION OF MICHAEL J. JANUZIK IN SUPPORT OF OBJECTIONS TO THE
TRUSTEE'S DETERMINATIONS OF THE CLAIMS OF CLAIMANTS WHOSE
FUNDS WERE INVESTED WITH BLMIS THROUGH AN INVESTMENT POOL
MAINTAINED AND ADMINISTERED BY THE JEWISH COMMUNITY
FOUNDATION OF THE JEWISH FEDERATION COUNCIL OF GREATER LOS
ANGELES**

DECLARATION OF MICHAEL J. JANUZIK

I, MICHAEL J. JANUZIK, declare as follows:

1. I am employed by the Jewish Community Foundation of the Jewish Federation Council of Greater Los Angeles (the “Foundation”), a 501(c)(3) charitable organization. I am employed by the Foundation as the Senior Vice President, Finance & Administration/Chief Financial Officer in the Los Angeles office. In my capacity as Senior Vice President, Finance & Administration/Chief Financial Officer, I am responsible for keeping the books and records for all Foundation assets and business transactions and to deposit and disburse funds as ordered by the Board of Trustees (“Board”). As a result of carrying out my responsibilities as Senior Vice President, Finance & Administration/Chief Financial Officer, I have personal knowledge of the facts set forth herein and, if called to testify, could competently testify thereto.

2. Pursuant to individual agreements (the “Agreements”), each of the twenty-six charitable organizations identified on Exhibit “A” hereto (the “Claimants”) contributed endowment assets to a common investment pool (the “Pool”) managed and administered by the Foundation. The funds deposited in BLMIS Account No. 1J0059 were Pool assets.

3. For eight of the Claimants, the Agreements under which they contributed endowment assets to the Pool were memorialized in writing. These written Agreements are attached hereto collectively as Exhibit “B”. All written fund Agreements are substantially with the exception of the identity of the Claimant.

4. The Agreements pursuant to which the other eighteen Claimants contributed endowment assets to the Pool were not reduced to writing but are, in substance, the same as the written Agreements attached as Exhibit “B”. Attached hereto as Exhibit “C” is an Officer’s Certificate on behalf of each Claimant whose Agreement was not reduced to writing certifying

that assets were transferred to the Foundation under the same general terms as are shown in the written fund Agreements attached as Exhibit “B.”

5. The Agreements provide that the “Foundation shall pool the Fund Assets with the other assets in its ‘Common Investment Pool’ for purposes of investment, management and administration.” Thus, the Pool “is the collective investment fund maintained by the Foundation exclusively for the collective investment and reinvestment of its general endowment fund assets and the general endowment fund assets of other charitable organizations.”

Under the Agreements, each Claimant transferred assets to the Foundation for investment, administration and management purposes **only**. Each Claimant gave discretionary authority to the Foundation to execute securities transactions according to the Agreements under which the “Foundation shall have the sole right and power to invest and manage” the Pool assets. The agreements do not provide for the Pool to become the owner of the assets so transferred or for the Claimants to have ownership interests in the Pool itself. The Claimants did not receive shares, certificates or any other instrument evidencing any ownership interest in the Pool.

6. Thus, the Pool is a service provided by the Foundation. Specifically, under the Agreements, “the Foundation operates development and planned giving programs including the pooled investment and administration of designated endowment funds, support foundations and its own unrestricted endowment funds for the benefit of the Jewish Community.”

7. The Investment Committee manages and invests the Pool assets. The Investment Committee is appointed solely by the Foundation Board, is vested with authority by the Board and operates under the ultimate direction of the Board. The Amended and Restated By-Laws of the Foundation state “it being expressly provided that the powers of said Board of Trustees shall include, but not be limited to . . . appoint . . . an Investment Committee . . . and to delegate to such Committees such powers and authority as they deem to be in the best interests” of the Foundation.

I declare under penalty of perjury under the laws of the State of New York and the
United States of America that the foregoing is true and correct. Executed this 10th day of
February 2011, at Los Angeles, California.



MICHAEL J. JANUZIK

EXHIBIT A

(Alphabetical Listing)

Abrasba Foundation
Beit T'Shuva
Bureau of Jewish Education of Greater Los Angeles
The Emquies Family Support Foundation
Hillel The Foundation for Jewish Campus Life
Jack E. & Rachel Gindi Foundation
Jewish Family Service of Los Angeles
The Jewish Federation Council of Greater Los Angeles
The Jewish Federation of Greater Santa Barbara
Joyce & Lawrence Powell Family Foundation
Kurtzman Family Foundation
Lee & Herman Ostrow Family Foundation
Leonard & Annette Shapiro Family Foundation
Levey Cherry Foundation
Los Angeles Hillel Council, Inc.
Louis & Judith Miller Family Foundation
Louise & Herb Horvitz Charitable Foundation
The Melissa Marantz Nealy Foundation
Palermo-Ravich Family Foundation
Santa Barbara Hillel Support Foundation
Shirley & Burt Harris Family Foundation
Sinder Family Foundation
Temple Judea of the West San Fernando Valley
Trena & Stanley Greitzer Family Foundation
Valley Beth Shalom – Harold M. Shulweis Institute
Valley Beth Shalom Foundation

EXHIBIT A

(Numerical Listing by Claim No.)

Claim No. 015797 -- The Jewish Federation Council of Greater Los Angeles
Claim No. 015798 -- Valley Beth Shalom – Harold M. Shulweis Institute
Claim No. 015799 -- Valley Beth Shalom Foundation
Claim No. 015800 -- Los Angeles Hillel Council, Inc.
Claim No. 015801 -- Hillel The Foundation for Jewish Campus Life
Claim No. 015802 -- Beit T'Shuva
Claim No. 015803 -- Santa Barbara Hillel Support Foundation
Claim No. 015804 -- Temple Judea of the West San Fernando Valley
Claim No. 015805 -- The Jewish Federation of Greater Santa Barbara
Claim No. 015806 -- Jewish Family Service of Los Angeles
Claim No. 015807 -- Bureau of Jewish Education of Greater Los Angeles
Claim No. 015808 -- Jack E. & Rachel Gindi Foundation
Claim No. 015809 -- Shirley & Burt Harris Family Foundation
Claim No. 015810 -- Sinder Family Foundation
Claim No. 015811 -- Leonard & Annette Shapiro Family Foundation
Claim No. 015812 Louise & Herb Horvitz Charitable Foundation
Claim No. 015813 -- Kurtzman Family Foundation
Claim No. 015814 -- Trena & Stanley Greitzer Family Foundation
Claim No. 015815 -- Palermo-Ravich Family Foundation
Claim No. 015816 -- Louis & Judith Miller Family Foundation
Claim No. 015817 -- Joyce & Lawrence Powell Family Foundation
Claim No. 015818 Lee & Herman Ostrow Family Foundation
Claim No. 015819 -- Abrasba Foundation
Claim No. 015820 -- Levey Cherry Foundation
Claim No. 015821 -- The Melissa Marantz Nealy Foundation
Claim No. 015822 -- The Emquies Family Support Foundation

To: Parties on the Annexed Service List

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

-----X-----
SECURITIES INVESTOR PROTECTION : District Court Case No. 08-10791
CORPORATION, :
Plaintiff, : Adv. Pro. No. 08-01789 (BRL)
v. :
BERNARD L. MADOFF INVESTMENT :
SECURITIES, LLC, :
Defendant. :
-----X-----

CERTIFICATE OF SERVICE BY ELECTRONIC MEANS

I, DENNIS C. QUINN, one of the attorneys for the Jewish Community Foundation of the Jewish Federation Council of Greater Los Angeles, hereby certifies that a copy of the foregoing declaration of Michael J. Januzik in support of Objections to the Trustee's Determinations of the Claims of Claimants Whose Funds Were Invested with BLMIS through an Investment Pool Maintained and Administered by the Jewish Community Foundation of the Jewish Federation Council of Greater Los Angeles was accomplished pursuant to ECF as to Filing Users and I shall comply with LR 5.5 as to the parties listed below and serve via First Class Mail.

Irving H. Picard, Trustee
45 Rockefeller Plaza
New York, New York 10111

February 10, 2011

s/ Dennis C. Quinn
Dennis C. Quinn